

May 20, 2004

FINANCE & MANAGEMENT
COMMITTEE
REPORT NO. 8

ALL MEMBERS PRESENT. CHAIRMAN HOLT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, that the following items are hereby received and filed.

- a.

Item	Page	-2004	(Comm. 6E-3)
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COMPTROLLER: Interim Financial Report for 9 Months Ended 9/30/03.
(6-0) Chairman Holt Present as Ex-Officio Member.

- b.

Item	Page	-2004	(Comm. 9E-13)
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COUNTY EXECUTIVE: Letter to Chairman Holt Re: Local Law Intro. No. 8 -2003.
(5-0)

- c.

Item	Page	-2004	(Comm. 10E-2)
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COMPTROLLER: Apportionment & Distribution of 4% Sales Tax for 4/04.
(5-0)

- d.

Item	Page	-2003	(Comm. 10M-7)
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NYS SENATE MAJORITY LEADER JOSEPH BRUNO: Response to Concerns About Medicaid Costs.
(5-0)

AS AMENDED

2 a.

Item	Page	-2004	(Comm. 1D-21)
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DIRECTOR OF BUDGET, MANAGEMENT & FINANCE

WHEREAS, the Erie County Director of Real property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556 and

WHEREAS, the Director has investigate the validity of such applications (see attached listing) now therefore be it,

RESOLVED, that petitions numbered 204195 through 204197 inclusive be hereby denied base upon the recommendation of the Director of Real Property Services and be charged back to the applicable towns and / or cities.

FISCAL YEAR 2004	Petition No.	204195
ASSESSOR	Cancel	\$167.20

S-B-L 108.16-1-3.12	142001 ALDEN	
Acct. No. 112		\$120.65 County

Acct. No. 132

\$46.55 Town/SpecialDist/School

Charge To : 142001 ALDEN \$46.55

CANCEL - CLERICAL ERROR, THIS PARCEL IS WAS TRANSFERRED TO THE VILLAGE OF ALDEN AS OF DECEMBER 30, 2003 AND IS REQUESTING EXEMPT STATUS. RPTL 550(2)C

DENIAL

PROPERTY WAS TRANSFERRED TO THE VILLAGE OF ALDEN ON DECEMBER 30, 2003. THE TAXABLE STATUS DATE WAS MAY 1, 2003. BECAUSE THE DATE OF TRANSFER WAS AFTER TAXABLE STATUS DATE THIS PARCEL DOES NOT QUALIFY FOR EXEMPT STATUS FOR THE 2004 TOWN AND COUNTY TAX BILL.

FISCAL YEAR 2004 Petition No. 204196

ASSESSOR Refund \$287.13

S-B-L 130.00-4-12 142089 ALDEN

Acct. No. 112 \$287.13 County
Acct. No. 132 \$0.00 Town/SpecialDist/School

Charge To : 142089 ALDEN \$0.00

REFUND - CLERICAL ERROR, HOMEOWNERS ARE REQUESTING THAT THE INTEREST ON THE SCHOOL RELEVY BE REFUNDED BECAUSE THEY DID NOT RECEIVE A TAX BILL DUE TO THE ASSESSMENT ROLL REFLECTING OLD OWNERS NAME.

DENIAL

THERE IS NO STATUE UNDER THE PETITION PROCESS COVERING THE REFUND ON INTEREST LEVIED ON A RELEVYSCHOOL TAX DUE TO THE FACT THAT THE OWNER DID NOT RECEIVE A TAX BILL.

FISCAL YEAR 2001 Petition No. 204197

ASSESSOR Refund

S-B-L 56.12-3-4 142289 AMHERST

Acct. No. 112 \$0.00 County
Acct. No. 132 Town/SpecialDist/School

Charge To : 142289 AMHERST \$54.94

REFUND - CLERICAL ERROR, INCORRECT GALLONAGE FIGURES WERE USED TO DETERMINE THE WATER AND SEWER TAX. RPTL 550(2)E
CHECK FOR: CAROL WEATHER

DENIAL

UNDER NEW YORK STATE REAL PROPERTY TAX LAW 556 THE APPLICATION MUST BE MADE TO THE DIRECTOR OF REAL PROPERTY WITHIN 3 YEARS OF THE ANNEXATION OF THE TAX WARRANT. THE WARRANT WAS FILED ON JANUARY 15, 2001. THE APPLICATION WAS RECEIVED ON APRIL 22, 2004. APPLICATION WOULD HAVE HAD TO BE RECEIVED BY JANUARY 14, 2004 TO QUALIFY FOR A REFUND.

(4-0) Legislator Smith absent.

AS AMENDED

2 b. Item Page -2004 (Comm. 1D-21)
DIRECTOR OF BUDGET, MANAGEMENT & FINANCE

WHEREAS, the Erie County Director of Real property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556 and

WHEREAS, the Director has investigated the validity of such applications (see attached listing) now therefore be it,

RESOLVED, that petitions numbered 204198 through 204208 inclusive be hereby approved based upon the recommendation of the Director of Real Property Services and be charged back to the applicable towns and / or cities.

FISCAL YEAR 2004	Petition No.	204198	
	ASSESSOR	Cancel	\$0.00
S-B-L 151.62-1-12		144889 HAMBURG	
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$0.00 Town/SpecialDist/School
48178 EC#3 BLASDELL		\$170.00	
48178 EC#3 BLASDELL		\$170.00	
Charge To :	144889 HAMBURG		\$-170.00

REFUND - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR 3 UNITS OF SEWER SERVICE WHEN IT SHOULD ONLY BE CHARGED FOR 1 UNIT. RPTL 550(2)E
CHECK FOR: JEFFREY & PATRI RUSSELL

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 18,000 AND SHOULD BE 12,000. RPTL 550(2)A

FISCAL YEAR 2004 Petition No. **204208**

 ASSESSOR **Cancel** \$21.74

S-B-L 555.00-96-1.2 **145689 NEWSTEAD**

Acct. No. 112	\$16.06	County
Acct. No. 132	\$5.68	Town/SpecialDist/School
Charge To :	145689 NEWSTEAD	\$5.68

CANCEL - UNLAWFUL ENTRY, THIS PARCEL WAS NOT LISTED ON THE SPECIAL FRANCHISE CERTIFICATE RPTL 550(7)E
(4-0) Legislator Smith absent.

3. Item Page -2004 (Comm. 10E-9)
 COMPTROLLER
RESOLUTION NO. _____ -2004

RESOLUTION DELEGATING TO THE COUNTY COMPTROLLER THE POWERS TO AUTHORIZE THE ISSUANCE OF \$130,000,000 REVENUE ANTICIPATION NOTES OF THE COUNTY OF ERIE, NEW YORK, OR SO MUCH THEREOF AS MAY BE NECESSARY, IN ANTICIPATION OF THE RECEIPT OF REVENUES FOR THE FISCAL YEAR CERTAIN ENDING DECEMBER 31, 2004, AND TO PRESCRIBE THE TERMS, FORM AND CONTENTS, AND PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT OF SUCH NOTES.

RESOLVED BY THE LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), the power to authorize the issuance of Revenue Anticipation Notes (herein called "Notes") of the County of Erie, in the State of New York (the "County" and "State", respectively), in the aggregate principal amount of not to exceed \$130,000,000, and any notes in renewal thereof, is hereby delegated to the County Comptroller, as chief fiscal officer of the County.

Section 2. The Notes shall be issued in anticipation of the collection or receipt of revenues due to the County in the current fiscal year from (i) State Social Services aid, (ii) Social Services aid from the United States government, and (iii) the collection or receipt of revenues due and payable to the County in the current fiscal year from sales and compensating use taxes; and the proceeds of such Notes shall be used only for the purposes of paying the current expenses of the County for said fiscal year payable from the revenues in anticipation of which they are issued.

Section 3. The Notes shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the County, and the faith and credit of the County shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the County and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. Subject to the provisions of this resolution and the Law, and pursuant to Sections 50.00, 56.00, 60.00, and 168.00 of the Law, inclusive, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto, or any renewals thereof, including the power to determine the respective amounts of Notes to be issued in anticipation of said respective revenues specified in Section 2 hereof, and the power to enter into agreements for credit enhancement for the Notes, are hereby delegated to the Comptroller, as chief fiscal officer of the County.

Section 5. This resolution shall take effect immediately.

(5-0)

4. Item Page -2004 (Comm. 10E-15)

COUNTY EXECUTIVE

WHEREAS, Erie County formed a Consortium (Erie County HOME Consortium) with the Town of West Seneca and Town of Hamburg for funding under the HOME Investment Partnership Act (HOME); and

WHEREAS, Erie County HOME Consortium has been awarded a grant of \$1,294,000 for fiscal year 2002, \$1,245,733 for fiscal year 2003, and \$1,243,449 for fiscal year 2004 by the U. S. Department of Housing and Urban Development under HOME; and

WHEREAS, a minimum of fifteen percent of funds made available pursuant to the HOME Investment Partnership Act are to be provided to eligible Community Housing Development Organizations (CHDOs).

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into all necessary agreements with Our Lady of Victory Community Housing Development Organization, Inc. (OLV) to develop the Victory Ridge Apartments in the City of Lackawanna for low income senior households; and be it further

RESOLVED, that said agreements shall provide for the transfer of an amount not to exceed \$300,000 in federal HOME Investment Partnership funds to the OLV Inc.; and be it further

RESOLVED, that disbursement of said funds shall be conditioned on the following:

1. Completion of all state and federal environmental review requirements relative to the housing project.
2. Completion of all necessary subsidy layering analysis as required by the federal Department of Housing an Urban Development; and be it further

RESOLVED, that the request for proposal provision of Section 19.08 of the Erie County Administrative Code was complied with by the Department of Environment and Planning, and a summary is included as Attachment A to this resolution; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Director of the Division of Budget, Management, and Finance, the County Comptroller, and the Commissioner of the Department of Environment and Planning.
(5-0)

ALBERT DEBENEDETTI
CHAIRMAN